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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN CHU and
BEN GUAN,

Defendants.

CASE NO. 2:22-cr-148 DJC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: January 11, 2024

TIME: 9:00 a.m.

COURT: Hon. Daniel J. Calabretta

The United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. This matter currently is set for a change of plea on December 14, 2023, and time has been excluded under the Speedy Trial Act through that date, pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(iv) [Local Code T4]. ECF 24.

2. By this stipulation, the parties request that this Court vacate the scheduled change of plea and set this matter for a change of plea on January 11, 2024, at 9:00 a.m., and exclude time from December 14, 2023, through January 11, 2024, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].

3. The parties agree and stipulate, and request the Court find, the following:

a) The government has produced substantial discovery associated with this case that

1 includes investigative reports and related documents in electronic form totaling over
2 approximately 2,000 pages, as well as several video recordings and surveillance photographs and
3 images of two cellular phones. All of this discovery has been either produced directly to counsel
4 and/or made available for inspection and copying.

5 b) While the parties anticipate the defendants will plead guilty on January 11, 2024,
6 counsel for defendants desire additional time to review the discovery, consult with their clients,
7 review the current charges, conduct investigation and research related to those charges, and
8 otherwise prepare for trial.

9 c) Counsel for defendants believe that failure to grant the above-requested
10 continuance would deny them the reasonable time necessary for effective preparation, taking into
11 account the exercise of due diligence.

12 d) The government does not object to the continuance.

13 e) Based on the above-stated findings, the ends of justice served by continuing the
14 case as requested outweigh the interest of the public and the defendants in a trial within the date
15 prescribed by the Speedy Trial Act.

16 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
17 et seq., within which trial must commence, the time period of December 14, 2023, to January 11,
18 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
19 T4], because it results from a continuance granted by the Court at the defendants' request on the
20 basis of the Court's finding that the ends of justice served by taking such action outweigh the
21 best interest of the public and the defendants in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: December 13, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ MATTHEW THUESEN
MATTHEW THUESEN
Assistant United States Attorney

Dated: December 13, 2023

/s/ DUSTIN M. GORDON
DUSTIN M. GORDON
Counsel for Defendant
STEVEN CHU

Dated: December 13, 2023

/s/ COLIN L. COOPER
COLIN L. COOPER
Counsel for Defendant
BEN GUAN

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 13th day of December, 2023.

Dated: December 13, 2023

/s/ Daniel J. Calabretta
THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE